

SOCIAL CLUBS NEED LIQUOR LICENSES.

May Not Lawfully Sell Drinks
to Members Without
a Certificate.

Excise Commissioner Lyman So
Declares in an Opinion
Just Rendered.

Brushes Aside Justice Davy's Decision
in the Rochester Whist
Club Case.

HOLDS IT WAS NOT A PROPER TEST.

Raines Law Official Includes Not Only Clubs
Formed Since the New Enactment, but
Also Those Incorporated Before
It Went into Operation.

Rochester, Sept. 22.—Justice John M. Davy, of the Supreme Court, in the case of "The People of the State of New York, upon the relation of the Rochester Whist Club, against John B. Hamilton, Treasurer of Monroe County," a proceeding brought in May last to obtain a decision as to whether clubs would be compelled to take out liquor tax certificates under the Raines law, which had just gone into effect, decided they would not.

Charles E. Bostwick appeared for the State Excise Department. Subsequently he appeared before the Justice and secured an order erasing his name and that of Excise Commissioner Lyman from the records. This was done on request of Mr. Lyman, who did not want to figure as the head of the Excise Department in any decision at that time.

Mr. Lyman has to-day given out his opinion as to the question of licenses for clubs, in which he holds that not only clubs formed since May to evade the Raines law, but also all clubs incorporated before the Raines law went into operation, must take out liquor tax certificates. Mr. Lyman, in his opinion, which was written in response to a letter requesting the department's decision on this question from Albert R. Genet, of Sing Sing, who is connected with the Mount Pleasant Field Club, in Westchester County, says:

Excise Commissioner Lyman Replies.

"In reply to your communication I beg leave to state that the question of the duty of a club such as the Mount Pleasant Field Club to apply for and obtain a liquor tax certificate authorizing them to traffic in liquors, where the said club sells liquors to its members, has not been yet considered by any court of this State as far as this department has any knowledge. An effort was made some months since on the part of certain members of a so-called social club in the interior of the State, acting in collusion with a county treasurer, and without the knowledge or sanction of the department, to obtain an adjudication on the question whether clubs may lawfully sell liquor to their members without applying for and taking a liquor tax certificate. The case presented was conspicuous because of the non-presentation to the court of existing facts which are especially relevant to the question and which, if considered, should have required a determination by the court that the club in question trafficking in liquors by selling the same to its members, was violating the provisions of the liquor tax law by engaging in the business of trafficking in liquors without obtaining a liquor tax certificate.

"Such a case cannot be urged as a precedent for any purpose, and is not controlling upon the question you present. I am informed that the Mount Pleasant Field Club is a corporation organized under and in pursuance of an act of the Legislature for the State of New York, passed May 12, 1896, entitled 'An act for the incorporation of societies for the purpose of certain purposes,' and the several acts of the said Legislature amendatory thereof and supplementary thereto, and that the object for which such a club was formed is to encourage athletic exercise, and games, and to promote physical culture and social intercourse among its members. In your communication you state that said Mount Pleasant Field Club sells liquors to its members.

"Club Must Have a License. "If such be the case and such club has not applied for and obtained a liquor tax certificate authorizing it to traffic in liquors, it is undoubtedly violating the provisions of the liquor tax law, and those persons participating in the commission of such unlawful act are punishable according to the provisions of the liquor tax law. The provisions of the liquor tax law expressly provide for issuing a liquor tax certificate to corporations engaged in the traffic in liquors, and it is the conclusion of the State of New York, the conclusion there reached is entitled to great respect.

"The case to which Mr. Justice Davy alluded, brought by a 'so-called social club' and as being 'conspicuous because of non-presentation to the court of existing facts' is that of the Whist Club.

WIFE'S TESTIMONY DID IT.

Taralaco Might Have Escaped Had Not Mrs. Taralaco Gone on the Stand.

Leonardo Taralaco, who formerly kept a baker shop in Bath avenue and Bay Eighteenth street, Bath Beach, and who was arrested three days ago on complaint of Peter Belloni, an Italian shoe maker, because the latter said he had threatened his life, was before Judge Rhodes, in the Fort Hamilton Court, yesterday afternoon.

At the time of Taralaco's arrest, it was said by the police of the Bath Beach Station that the accused man was a member of the Mafia.

Taralaco entered a plea of not guilty, and he would probably have been released had not his wife, Maria Taralaco, gone upon the stand and said that she had overheard a conversation between her husband and three other men, which they had mentioned Belloni's name in a threatening way.

Judge Rhodes looked up the accused man in default of \$1,000 bail, and will dispose of the case Thursday morning.

Thrown Overboard for Three Cents.

John Tobin, a longshoreman, was remanded for examination in the Lee Avenue Police Court, Williamsburg, yesterday, on a charge of assault. The complainant was Robert O'Neil, of No. 250 Union avenue.

On Monday evening last, while drunk, Tobin quarreled on the South Fifth street dock over the possession of three cents, and O'Neil was thrown into the water, where he was rescued with difficulty and Tobin was arrested.

C. W. Varnum, Esq., Denver:

Dear Sir—I, like every other well educated man, have expressed the opinion that at present gold only can be used as a proper standard of value. * * I am, otherwise, no politician, but an Anarchist. Yours respectfully,

JOHN MOST.

HOCH M'KINLEY!



Communism is a hateful thing and a menace to peace and organized government. But the communism of combined wealth and capital, the outgrowth of overweening cupidity and selfishness, which, insidiously undermine the justice and integrity of free institutions, is not less dangerous than the communism of oppressed poverty and toil, which, exasperated by injustice and discontent, attacks with wild disorder the citadel of rule.

GAVE THEM A BULLET FOR THEIR BRICK.

Laura Cooley Shot at Em-
mons Zniths Who Dis-
turbed Her Courting.

Hit William Meserole in the Leg
Causing a Very Serious
Wound.

Lost Her Temper When Their Missile
Disturbed the Tender Attentions of
Daniel Ryan.

HUNTED UP HER PAPA'S REVOLVER.

Blazed Away into the Crowd of Tormentors,
Then Went Back into the Front Parlor
and Resumed Love's Young
Dream.

The rustic pleasantry of interrupting a
courtship was too much for Laura Cooley,
of New Brunswick, N. J., so she shot a
bullet in the leg of one of the swains who
dared to torment herself and her "steady
company."

The victim of Miss Cooley's marksmanship
is in a dangerous condition, the doctors
say, and Miss Cooley herself is out on bail,
charged with assault and battery with in-
tention to kill.

No one would ever believe it to look at
her, and yet this remarkable young woman
seems quite unmoved by her situation, and
will not quit what she is a bit sorry for
William Meserole, who may die as a re-
sult of her hasty temper.

Laura Cooley is a farmer's daughter, and
is just as plump as a farmer's daughter,
and she is sentimental, too, and thinks all
the world of Daniel Ryan, of New
Brunswick, who spends at least three
evenings a week saying sweet nothings to
her in the parlor of her mother's farm
house at Livingston Park, two miles from
New Brunswick.

It is claimed that most of the property
was conveyed to the wife by trust deeds
before the death of John W. Masury, and
that this is not taxable. Mr. Everett A.
Carpenter was appraiser of the estate and
filed his report yesterday afternoon.

SUPERVISORS' PLANS OPPOSED.

Residents Object to Having Oyster Bay Made
a Separate Fire District.

Oyster Bay, L. I., Sept. 22.—On the ap-
plication of William O'Connor and William
W. Smith, of the Fire Department of this
place, Justice Dickey, of Brooklyn, has
granted a writ of certiorari to cause a re-
view of the proceedings of the Supervisors
of Queens County in relation to the estab-
lishment by the Board of the village of
Oyster Bay as a separate fire district.

The villagers declare that they do not
want a separate district made of the place,
and claim that the Board acted in the
matter without authority. The case will
be argued in October.

said Laura, when she reappeared. And the
courtship was resumed at the point where
it had been broken off by the shooting.
Miss Cooley had more than frightened
them. She had routed them, not exactly
with loss of life, but at all events with
loss of blood.

"What had happened, as she afterward re-
lated the story, was that she armed herself
with an old revolver that was intended for
burglars, and shouted: 'If you fellows
don't go away, I'll fire!' Whereupon they
heaped ridicule upon her, and she pulled the
trigger. She did not see William Meserole
drop, because it was so dark.

It appeared later that Meserole's com-
rades had conveyed him back to his home
in New Brunswick and put him to bed in
his mother's house, where he was soon en-
doring the agony of having the wound in
his calf probed for the bullet.

That bullet has not been found yet, and
Meserole's leg is already badly inflamed.

But Laura Cooley says she does not care—
not she!

DRAWN FROM THE TRACK.

Mrs. Kenny, Wife of a Policeman, Found
Wandering in Jamaica.

Mrs. Marie Kenny, wife of Officer Ed-
ward Kenny, who is attached to the Pros-
pect Park police force, was found wander-
ing along the streets of Jamaica early
Monday afternoon by John Conklin and C.
M. Seaman, both residents of Springfield.

The attention of the two men had been
attracted to the woman, who, when they
first saw her, was carrying her shoes and
stockings in her right hand and holding a
satchel in the other. Every once in a while
she would cry out aloud, and when she
reached the tracks of the Long Island Rail-
road, she started to cross in front of an
approaching train. Conklin and Seaman,
who were close behind her, managed to
drag the woman away just as the train
sped by. She was taken to the Town Hall,
at Jamaica, and questioned by Police Cap-
tain Ashmum.

She told the Captain that she was the
wife of Officer Kenny and resided at No.
322 Twelfth street, Brooklyn. At the police
station in Prospect Park it was said that
Officer Kenny had been given a day off, and
had probably gone to Jamaica to bring his
wife home. It was said that Mrs. Kenny,
who is thirty years old, and the mother of
two children, had been subject to periods of
melancholia, and when in that condition
would often leave her home for days at a
time.

OBJECT TO THE STATE TAX.

Beneficiaries of Masury's Vast Estate Appeal
to the United States Court.

Riverhead, L. I., Sept. 22.—The assessed
value of the John W. Masury estate, that
has been found taxable under the laws of
the Empire State, amounts to nearly
\$2,800,000. Under the State law the col-
lateral inheritance tax amounts to \$28,000.
The beneficiaries object to paying the State
tax, and will only do so after a decision
has been handed down by the United States
Supreme Court.

It is claimed that most of the property
was conveyed to the wife by trust deeds
before the death of John W. Masury, and
that this is not taxable. Mr. Everett A.
Carpenter was appraiser of the estate and
filed his report yesterday afternoon.

Then havoc began. The huge planks
were dashed about the deck with every
roll of the vessel, smashing the bulwarks
and carrying away the standing rigging.
The iron water tanks were reduced to frag-
ments, and then, as enormous waves rolled
over the bark, the cook's galley was torn
to splinters and carried overboard.

Three boats stowed on top of the galley
were cut to stivers and swept away, and
the lifeboats, fashed at great fury. The sea
made a clear sweep over the bark, and
finally the deck broke its lashings.

The foremast mast stays were carried
away soon after this, and the foremast
mast snapped at the cap of the foremast-
gal and mast and then pitched into the sea,
taking with it all the yards and attached
rigging. The foretop-gallant yard was
split its entire length.

Fearing that the masts would go by the
board, Captain Palmer gave orders to
"wear ship" and run before the storm.
The great fabric was slowly swinging be-
fore the blast, when the lower hinge of
the rudder was either twisted off or un-
shipped, and the next instant the rudder
post snapped, and the blade, held only by
the chains and lashings, began to pound
the stern like a battering ram. There was
danger that the big wooden rudder blade
would be driven through the stern, and, at
the risk of his life, a sailor was lowered
over the stern. He succeeded in chopping
loose the dangling rudder blade, and, rudi-
derless, the bark drove away to the north-
west.

When the gale finally blew itself out Cap-
tain Palmer had some of the planks from
the deck converted into a jury rudder. This
was launched over the stern and kept in
a vertical position by guy ropes leading
under the counters and over the quarters of
the bark.

It required the strength of four seamen
to manage this improvised rudder, but, on
September 19, the Kilverdale was twenty-
five miles off Sandy Hook. Then a gale
from the northwest drove her thirty miles
to sea again.

The rudder had to be hauled aboard again
last Sunday and repaired, and, after that,
this port was made without further in-
cident.

BURGLAR NEARLY KILLED.

He Jumped into Bed and Pretended to Be
Asleep, but Was Severely Clubbed.

Perth Amboy, N. J., Sept. 22.—Jack Ken-
ny, who has just been discharged from
the County Jail, staggered into the
police station here last night
covered with blood, and fell to the
floor fainting. Dr. Henry, the City Physi-
cian, dressed the wounds and found that
he had been beaten with a club. His nose
and arm were fractured, and one of the
fractured bones had penetrated an artery
in Kenny's arm. He would give no account
of how he got the wounds.

FOUGHT WIND AND SEA WITHOUT A RUDDER.

Captain Palmer's Struggle to
Keep the Kilverdale
from Foundering.

Encountered a Hurricane Which
Carried Away the Rigging
and Stern-Post.

Rigged a "Jury" Affair and Succeeded
in Keeping His Ship on
Her Course.

MET MORE WIND OFF THIS PORT.

Finally His Splendid Seamanship Conquered
and Yesterday He Reached Harbor
Without Having to Pay
Salvage.

The bark Kilverdale looked as if she
had been through a naval engagement and
had much the worst of it when she strug-
gled into this port yesterday, and dropped
anchor in the upper bay. Her bulwarks
showed great, gaping rents, her forecastle
had been stove in and the cook's galley
was missing.

Under the stern was a great lumbering
jury rudder, attached by chains and cables
to the ship's quarters. To this clumsy ar-
rangement Captain Palmer and his crew
owed their safety and that of the vessel, for
she had been through a hurricane that
wrenched every timber in her stout frame
and nearly caused her to founder.

The Kilverdale, a bark of 1,100 tons, left
Ship Island, Lumber Is., for Rio Janeiro,
on August 10 last. Her cargo of yellow
pine planks was piled high on her decks
and there was barely room to swing the
yards.

Light and baffling winds delayed her un-
til she reached latitude 38.30 and longi-
tude 68.

This was on September 8, and on the
evening of that day a strong gale set in
from the east-southeast. It increased to
a hurricane on the 9th, and for twenty
hours, reared with great fury. The sea
made a clear sweep over the bark, and
finally the deck broke its lashings.

Then havoc began. The huge planks
were dashed about the deck with every
roll of the vessel, smashing the bulwarks
and carrying away the standing rigging.
The iron water tanks were reduced to frag-
ments, and then, as enormous waves rolled
over the bark, the cook's galley was torn
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in Kenny's arm. He would give no account
of how he got the wounds.

BEAT THE DECREPIT HORSES.

S. P. C. A. Agent Stirs Up the Hackmen at
Carteret, N. J.

Carteret, N. J., Sept. 22.—Carteret hack
drivers were thrown into consternation
yesterday by the appearance in the village
of an agent of the Society for the Preven-
tion of Cruelty to Animals. The railroad
station is nearly a mile from the village,
and hacks do a lucrative business.

Decrepit horses are used in nearly every
instance, and Morris Slugg, against whom
the S. P. C. A. officers have had several com-
plaints, is now under \$100 bonds to await
action of the Grand Jury. He was
charged before Justice Robert Wilson with
beating the two horses he was driving.

One of them was so lame that it fell when
it was led into the stable after Slugg had
been placed under arrest. The other was
covered with vermin-infested sores, and
as he was about to be put to death, his
shoulders, Slugg attempted to defend him-
self. Justice Wilson interrupted the agent
as he was about to say:

"I saw this case," he said, "It is a
shame that something of this kind was not
done long ago, and I hope the agent will
come here soon again."

A baker named Schroeder was fined \$25
for abandoning his horse to die. The horse
was covered with vermin-infested sores,
and was killed by the society.

THEY WANT A RECEIVER.

Arlington Land Company Embarrassed, and
Stockholders Go to Court.

Newark, N. J., Sept. 22.—Vice-Chancellor
Stevens to-day granted a rule to show
cause why a receiver should not be appoint-
ed for the Mount Hope & Arlington Land
Company, a corporation which owns a Sum-
mer hotel and a big tract of land at Mount
Arlington, in Morris County.

The company is alleged to have no money
to meet its obligations. The liabilities
are said to be \$25,000, while the as-
sets will not exceed \$24,000. The applica-
tion was made by some of the stockholders
and creditors. Argument will be heard at
an early day.

Imagines He Is a Priest.

College Point, L. I., Sept. 22.—Charles M.
Stewart is locked up here to await an ex-
amination into his mental condition. He
was employed during the summer as a
piano player in Zehden's Casino, and has
been acting strangely for the past few
days. Yesterday he called on Justice of
Peace Suter and demanded warrants for
the arrest of several prominent citizens.

Constable Krabot arrested him. Stewart
imagines that he is a priest, a solicitor of
patents and a soldier. He prays and sings
in his cell incessantly.

Found Dead in His Bed.

Newark, Sept. 22.—John Adam Harten-
stein, aged eighty-two years, of Vallburg,
was found dead in bed at his home last
night. He retired early yesterday evening,
seeming to be in the best of health. The
cause of his death has not yet been ascer-
tained.

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DEATH CAME WHILE CHILD WAS AT PLAY.

Five-Year-Old Joseph Mc-
Enery Chased Another Boy
in Front of a Trolley.

Before the Motorman Could
Stop the Little Fellow Was
Crushed and Dead.

He Gave One Cry as the Fender
Struck Him and Then All
Was Still.

CROWDS GATHERED ABOUT THE CAR

Then the Little Face, Upturned and White,
Was Seen Underneath the Forward
Truck—The Father Nearly
Crazed by Grief.

There were a dozen little ones playing,
some of them three years old, some of
them five, on the corner of Stone avenue
and Fulton street, Brooklyn, at 5.30 o'clock
last evening, when something black and
dreadful sped among them. When it went
by there were red stains on the rough pave-
ment, and one of the children was missing.
His body, lifeless, lay beneath the truck
of a trolley car, the little face upturned,
white as snow, except where the scarlet
stream trickled down from a wound
among the yellow curls.

The trolley had another death to account
for—the one hundred and sixty-fifth since
its Brooklyn advent.

Joseph McEnery was the baby who was
slain, a little fellow of five, the son of a
musician, whose home is at No. 2117 Ful-
ton street, a few yards from the scene of
the accident. He went out last evening,
after his supper, and soon was among the
other youngsters at the corner of Stone
avenue.

The corner is well lighted and is a favor-
ite with the children. One of them had
run across Fulton street, and Joseph started
to follow him. The little fellow had
just reached the trolley tracks, when car
No. 4,013, of the Fulton street line, ap-
proached rapidly, on its way downtown.
The child screamed and stumbled.

The motorman made a desperate effort to
stop the car, but before he could do so the
fender struck the child and the platform
passed over him. The boy screamed again
as the car struck him.

When the car finally came to a standstill
it had dragged the child's body some
twenty feet. The corpse was jammed
under the forward truck. The face and
head being visible.

A crowd soon gathered and an effort was
made to extricate the child. The motom-
an and conductor, aided by a number of
bystanders, lifted the car, and the poor,
broken little body was dragged out. It
was taken into Tallman's drug store near-
by and an ambulance summoned from St.
Mary's Hospital. The surgeon found that
both arms and legs had been broken and
the skull fractured. The corpse was taken
to the home of the boy's father, who was
nearly crazed by grief.

When the police reached the scene the car
had gone on. Detectives Stock and McCor-
mack, of the Eastern Parkway Station, later
arrested the motorman, James Allen, forty-
seven years old, of No. 87 Troy avenue. He
said the accident was unavoidable.

Trolley car No. 1,814, of the Gates avenue
line, collided at the corner of Greene and
Chesnut avenues, last night, with a truck
owned by A. D. Matthews & Co. The truck
was smashed and one horse severely in-
jured.

HARD WORK TO GET MARRIED.

Miss Beebe and Mr. Koler Visited Many Par-
sonages Without Finding a Minister.

Greenport, L. I., Sept. 22.—The Rev. J.
N. Taft, of Orient, this afternoon married
Miss Pearl Beebe, daughter of Marvin
Beebe, of Shelter Island, and Howard
Koler, a resident of Maine. Before they
were made man and wife by the minister
they went to the Rev. Jacob Mallman, of
Shelter Island, to unite them, but were dis-
appointed because he was not at home. The
young couple then came here, calling at
the residence of the Rev. J. H. Bell, pastor
of the Methodist Church. He was also
away, but the two were determined on be-
coming man and wife. They then visited
the home of the Rev. W. S. Morgan, of the
Baptist Church. They were again doomed
to disappointment on account of the ab-
sence of the minister.

Nothing daunted, however, they started
for the residence of the Rev. J. J. Dunlap.
He was not at home, and the lovers went
to their wife's ends to find a minister, as they
had visited all the parsonages in Green-
port. In despair they then called on a
man, who proved to be the Rev. J. N. Taft,
where they could find a minister to marry
them, and he consented to perform the
ceremony. All then went to the residence
of Supervisor B. D. Skinner, and the cere-
mony was performed in the parlor of the
Skinner home, the Supervisor and his
daughter, Miss May,